

1 STEVEN W. PITE (CA SBN 157537)  
2 DAVID E. McALLISTER (CA SBN 185831)  
3 JOHN B. ACIERNO III (CA SBN 257176)  
4 PITE DUNCAN, LLP  
5 4375 Jutland Drive, Suite 200  
P.O. Box 17933  
San Diego, CA 92177-0933  
Telephone: (858) 750-7600  
Facsimile: (619) 590-1385

6 Attorneys for NATIONAL CITY BANK

7

8

9

UNITED STATES BANKRUPTCY COURT

10 NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

In re

KENNETH JOSEPH HOCTER AND  
SHERRILL ANN HOCTER,

Debtor(s).

Case No. 08-47544-RJN

Chapter 13

NATIONAL CITY BANK'S REQUEST  
FOR SPECIAL NOTICE AND SERVICE  
OF PAPERS AND RESERVATION OF  
RIGHTS

TO: UNITED STATES BANKRUPTCY JUDGE, THE DEBTOR(S), AND ALL INTERESTED  
PARTIES

PLEASE TAKE NOTICE that the firm of PITE DUNCAN, LLP, attorneys for NATIONAL  
CITY BANK, hereby requests special notice of all events relevant to the above-referenced  
bankruptcy and copies of all pleadings or documents filed in relation to the above-referenced  
bankruptcy, including all pleadings or notices under Federal Rules of Bankruptcy Procedure, Rule  
2002, the commencement of any adversary proceedings, the filing of any requests for hearing,  
objections, and/or notices of motion, or any other auxiliary filings, as well as notice of all matters  
which must be noticed to creditors, creditors committees and parties-in-interest and other notices as  
required by the United States Bankruptcy Code and Rules and/or Local Rules of the above-  
referenced bankruptcy court.

/. /

1 PITE DUNCAN, LLP, requests that for all notice purposes and for inclusion in the Master  
2 Mailing List in this case, the following address be used:

3 John B. Acierno III  
4 PITE DUNCAN, LLP  
4375 Jutland Drive, Suite 200  
P.O. Box 17933  
5 San Diego, CA 92177-0933

6 Neither this Request for Special Notice nor any subsequent appearance, pleading, claim,  
7 proof of claim, documents, suit, motion nor any other writing or conduct, shall constitute a waiver of  
8 the within party's:

9 a. Right to have any and all final orders in any and all non-core matters entered only  
10 after de novo review by a United States District Court Judge;

11 b. Right to trial by jury in any proceeding as to any and all matters so triable herein,  
12 whether or not the same be designated legal or private rights, or in any case, controversy or  
13 proceeding related hereto, notwithstanding the designation or not of such matters as "core  
14 proceedings" pursuant to 28 U.S.C. § 157(b)(2)(H), and whether such jury trial right is pursuant to  
15 statute or the United States Constitution;

16 c. Right to have the reference of this matter withdrawn by the United States District  
17 Court in any matter or proceeding subject to mandatory or discretionary withdrawal; and

18 d. Other rights, claims, actions, defenses, setoffs, recoupments or other matters to which  
19 this party is entitled under any agreements at law or in equity or under the United States  
20 Constitution.

21 All of the above rights are expressly reserved and preserved by this party without exception  
22 and with no purpose of confessing or conceding jurisdiction in any way by this filing or by any other  
23 participation in these matters.

24 Dated: May 19, 2009

PITE DUNCAN, LLP

25  
26 /s/ JOHN B. ACIERNO III (CA SBN 257176)  
27 Attorneys for NATIONAL CITY BANK  
28